IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 3700 of 2002

Between:

1 Chaitanya DWACRA Group, Rep by its President

Kelothu Padma, Gopalapuram Village, Garla Mandal,
Khammam District.
2 Smt. Bhukya Vijaya, W/o. Teekya,
R/o. Gopalapuram Village, Garla Mandal,
Khammam District.

..... PETITIONERS

AND

1 The District Collector, Khammam, Khammam District.
2 The revenue Divisional Officer,
Kothagudem, Khammam District.
3 The Mandal Revenue Officer,
Garla Mandal, Khammam District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, Writ or direction more particularly in the nature of Writ of Mandamus by declaring the action of the 3rd respondent in issuing the notice No. E/207/2002, dated 16.2.2002, notifying the date for interview scheduled to be held on 25.2.2002 for appointing the fair price shop dealer for Shop No. 31007 of Gopalapuram Village, Garla Mandal, Khammam District, and seizing the shop along stock as bad, arbitrary, illegal and violative of principles of nature justice, and consequently direct the respondents to permit the petitioners to run the fair price shop No. 31007 of Gopalapuram Village, Garla Mandal, Khammam District.

Counsel for the Petitioners : MR.C.DAMODHAR REDDY

Counsel for the Respondents : GP FOR CIVIL SUPPLIES

The Court made the following :

O R D E R :

The writ petition is filed seeking a declaration that the action of the third respondent in issuing notice dated 16-2-2002 notifying the date of interview scheduled on 25-2-2002 for appointing the Fair Price Shop Dealer for Shop No.31007 of Gopalapuram Village, Garla Mandal, Khammam District and seizing the shop along with stock as bad and illegal. A consequential direction is also sought to permit the petitioners to run the Fair Price Shop. This Court while admitting the writ petition passed interim order on
28-2-2002 directing the respondents not to finalise the appointment of Fair Price Shop Dealer, for a period of two weeks. The said order was not extended later. In that view of the matter, this writ petition has become infructuous. If any new Fair Price Shop Dealer is appointed, the petitioners may avail the remedies under the Andhra Pradesh State Public Distribution System Control Order, 2001.

The writ petition, with the above observations, is dismissed. No costs.

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(V.V.S. RAO, J.)

07-06-2005.

Msr.

To

1 The District Collector, Khammam, Khammam District.
2 The revenue Divisional Officer,

Kothagudem, Khammam District.

3 The Mandal Revenue Officer,
Garla Mandal, Khammam District.

4. 2 CCs to Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad.

5) 2 CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

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07-06-2005

(Msr)